

Serial No. 10/686,476

Amendment in Resp. to Off. Action of May 10, 2006

UTILITY PATENT

B&D No. JK01483A

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Applicant has amended Claims 1, 3, 11, and 20. Currently in the above-identified application therefore are Claims 1, 3 and 5-26.

The Examiner has rejected Claims 1, 3, 10-12, 18-20 and 23 under 35 USC § 102(b) as anticipated by US Patent No. 1,745,099 ("Kasper"). Reconsideration and withdrawal of this rejection are respectfully requested.

Claim 1, as amended, calls for an apparatus for providing workpiece positioning, comprising a support surface for supporting a workpiece, an adjustable retention member movable relative to the support surface for providing workpiece positioning, the retention member having a workpiece-contacting surface, and a securing mechanism, connected to the retention member, the securing mechanism being constructed for securing the retention member in a desired orientation, wherein the retention member is capable of pivotally obtaining an extended orientation disposed substantially above the support surface and a retracted orientation disposed below the support surface, the workpiece-contacting surface being completely below the support surface when the retention member is in the retracted position, the retention member being movable relative to the support surface along a direction substantially parallel to the support surface when the retention member is in the extended orientation. Claims 3, 11, and 20 have similar elements.

Kasper does not have a retention member that moves along a direction substantially parallel to the support surfaces when the retention member is in the extended orientation, as required by Claims 1, 3, 11, and 20. Accordingly, Kasper cannot anticipate any of the pending claims.

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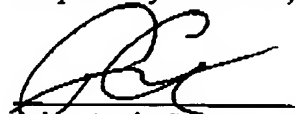
The Examiner rejected Claims 3, 5-6, 10-14, and 18-23 under 35 USC § 102(b) as anticipated by US Patent No. 4,423,860 ("Windstrup"). Reconsideration and withdrawal of this rejection are respectfully requested.

Windstrup does not disclose a workpiece-contacting surface of the retention member that is completely below the support surface when the retention member is in the retracted position. By contradistinction, Claim 1 requires that "the workpiece-contacting surface [be] completely below the support surface when the retention member is in the retracted position." Because such arrangement is not taught or suggested by Windstrup, it cannot anticipate Claim 1 or its dependent claims. Furthermore, Windstrup cannot anticipate independent 3, 11 and 20 as they have similar elements to Claim 1.

In view of the foregoing, all the claims are patentable and the application is believed to be in condition for formal allowance. Reconsideration of the application and allowance of Claims 1, 3 and 5-26 are respectfully requested.

No fee is due for the present amendment. Nevertheless, the Commissioner is authorized to charge payment of any fees due in processing this response, or credit any overpayment to Deposit Account No. 02-2548.

Respectfully submitted,


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